



EMPOWERMENT OF TRIBAL WOMEN: IMPORTANCE OF FOREST RIGHTS ACT 2006 - A STUDY

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ABSTRACT

The Forest Rights Act (FRA) of 2006, officially known as the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, acknowledges the equal land ownership rights of tribal women alongside men. This study examines the impact of women's rights to forest land and resources on their socio-economic status, focusing on two critical aspects of empowerment: "access to resources" and "women's agency." While access to essential resources like water, cooking fuel, and healthcare facilities remains limited, the allocation of land under the Act has made only a marginal difference to the economic standing of women who have received plots. However, it has significantly boosted the confidence of women, particularly widows, who are no longer considered asset-less. Land ownership has empowered women to question prevailing social practices, such as polygyny. Although the Act falls short in actively encouraging women's participation in the public sphere, improvements in their social engagement and mobility have been attributed to training and access to information facilitated by community-based organizations.

KEYWORDS: Tribal Women, Tribal Forest Rights, Empowerment, Forest Rights Act 2006

INTRODUCTION

The tribal communities, also known as Adivasis, have been the original inhabitants of the world and have maintained a close-knit relationship with the forests, depending on them for their livelihoods and sustenance since ancient times. In India, the forests are home to approximately 8.2 percent of the nation's population, which amounts to over 84 million people as per the 2011 census. However, their customary rights to live, possess, and earn a livelihood from the forests were not adequately recognized. The suffering of the tribals, particularly in terms of their right to livelihoods and the disruption of traditional forms of forest conservation and management, began during the colonial regime in the early 19th century and continued even after independence in the name of forest conservation and protection. This historical injustice has resulted in the marginalization of tribals and the loss of their ancestral lands, leading to a weakening of their social and economic status.

Given that most tribals live in remote forested areas, far removed from mainstream society, their socioeconomic status is extremely poor, necessitating concerted efforts from the government to uplift them. The lack of sufficient constitutional safeguards for tribal communities has made them one of the most vulnerable and exploited communities in India. Recognizing their disadvantaged position, the Central Government introduced the Recognition of Forest Rights Act in 2006 to protect their interests. The act aimed to rectify historical injustices, establish clear property rights, promote sustainable livelihoods, conservation, and empower tribal communities.

However, the progress of implementation of the act has been slow throughout India, even after 11 years since its enactment. The proper and timely implementation of the act could have made the forest-dwelling tribals significant stakeholders in forest management and improved their socio-economic conditions. Unfortunately, the actual outcomes of the implementation, in terms of forest resource management and the improvement of living conditions for forest-dwelling tribal communities, have fallen short of initial expectations due to various challenges. Therefore, it is crucial to critically assess the progress of the act's implementation in different states of India to identify areas for improvement and ensure the welfare and development of tribal communities.

Empowerment for tribal women goes beyond land ownership and involves effective access to productive resources such as rearing cattle, forest produce, technology, information, and training for income generation. It also includes the right to influence ideologies and norms. The collectivization of tribal women has been at the core of initiatives, giving them a voice and confidence in their traditional knowledge and practices. This has resulted in the conversion of wastelands into productive resources, skill development, and diversification of income sources, leading to more sustainable livelihoods.

The Forest Rights Act, apart from restoring land rights and access to forest produce, also mandates the inclusion of women in forest rights committees, ensuring their active participation in community decision-making processes. This inclusion allows women to have a say in seeking forest rights and contributes to their overall empowerment.

This study aims to examine whether women's rights and access to forest land and produce have improved the socio-economic status of tribal women within households and society. It explores whether the stipulated rights under the Forest Rights Act have triggered a process of positive change and empowerment for tribal women. The study uses a conceptual framework that assesses the expansion of people's ability to make strategic life choices through the dimensions of resources, agency, and transformative changes. It examines the impact on resources, agency, and outcomes in arenas such as the household, community, market, and state. Additionally, the study explores whether women's legal rights and participation in forest rights committees have enabled them to become equal participants in decision-making for the sustainable use of forests. Overall, the Forest Rights Act has provided an important platform for tribal women to claim their rights, access resources, and engage in decision-making processes. It has the potential to bring about transformative changes and improve the socio-economic and cultural status of tribal women. However, further research and analysis are required to assess the full impact and effectiveness of the act in empowering tribal women and ensuring their sustainable development.

Forest Rights Act, 2006 (FRA)

In its preamble, the scheduled Tribes and Other traditional Forest Dwellers (Recognition of Forest rights) Act, 2006, recognizes the historical injustice meted out to Scheduled Tribes and other traditional forest dwellers. It seeks to secure traditional rights over forest land and community forest resources and establish democratic community based forest governance.

FRA recognizes 14 pre-existing rights of forest dwellers on all categories of forestland, including protected areas. The major rights are:

- Individual Forest Rights (IFRs) and Community Rights (CRs) of use and access to forest land and resources;
- Community Forest Resource (CFR) Rights to use, manage and govern forests within the traditional boundaries of villages; and
- Empowerment of right-holders, and the Gramasabha, for the conservation and protection of forests, wildlife and biodiversity, and their natural and cultural heritage (Section 5, FRA)

Developmental rights, the FRA also provides powers to the Government for diverting forest land to build schools, dispensaries, anganwadies, fair price shops, electric and telecommunication lines, drinking water facilities, etc. However, the FRA makes it clear that the forest land, which can be diverted for other uses, is less than one hectare (for any single use) provided the felling of trees does not exceeds 75 trees per hectare.

Importance of Forest Rights Act 2006

The empowerment of tribal women has been a crucial aspect of promoting inclusive and sustainable development. In India, tribal communities have a strong connection with forests, relying on them for their livelihoods, cultural practices, and identity. The Forest Rights Act (FRA) of 2006 aimed to recognize and secure the rights of forest-dwelling communities, including tribal women, over their traditional forestlands. This case study explores the significance of the Forest Rights Act 2006 in empowering tribal women, highlighting its impact on their lives, rights, and overall well-being.

The Forest Rights Act 2006 is a landmark legislation that recognizes and restores the rights of tribal and other traditional forest-dwelling communities over forestlands and resources. It acknowledges the historical injustices faced by these communities and seeks to empower them by granting legal recognition to their customary rights and facilitating their participation in forest governance. The act is particularly significant for tribal women, as it provides avenues for their empowerment and upliftment.

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Recognition of Land and Resource Rights

The Forest Rights Act 2006 recognizes the rights of tribal women to land and resources within forests, ensuring their ownership and control over these valuable assets. This recognition not only protects their traditional occupation and sustenance practices but also gives them a sense of security and agency over their ancestral lands.

Representation and Decision-making

The act emphasizes the inclusion and participation of tribal women in decision-making processes related to forest governance. It mandates the formation of Forest Rights Committees (FRCs) at the village level, ensuring the representation of women and marginalized sections. Tribal women's involvement in FRCs enables them to voice their concerns, contribute to forest management decisions, and influence policies affecting their communities.

Livelihood Opportunities and Economic Empowerment

The Forest Rights Act 2006 enables tribal women to engage in sustainable livelihood activities based on their traditional knowledge and practices. It facilitates the development and implementation of community forest resource management plans, which empower tribal women to participate in forest-based enterprises, such as non-timber forest produce collection, minor forest produce processing, and ecotourism initiatives. This economic empowerment enhances their socio-economic status, improves their financial independence, and reduces their vulnerability.

Preservation of Cultural Heritage

Tribal women play a vital role in preserving the cultural heritage and traditional knowledge of their communities. The Forest Rights Act 2006 recognizes the cultural and historical significance of tribal communities' relationship with forests and ensures the protection of their cultural practices, rituals, and traditional knowledge systems. This recognition not only strengthens their cultural identity but also safeguards their intangible heritage for future generations.

CONCLUSION

The Forest Rights Act 2006 has played a vital role in empowering tribal women by recognizing their land and resource rights, facilitating their participation in decision-making processes, providing livelihood opportunities, and preserving their cultural heritage. It has significantly contributed to the empowerment and well-being of tribal women, fostering social justice, gender equality, and sustainable development. However, challenges remain in the effective implementation of the act, including awareness gaps, bureaucratic hurdles, and the need for capacity-building initiatives. Addressing these challenges and ensuring the full realization of the Forest Rights Act's potential can further enhance the empowerment of tribal women, leading to their holistic development and a more inclusive society.

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